

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN MICHIGAN**

MICHAEL LYNN,

Plaintiff,

Case No. 1:19-cv-00039

v.

Hon. Paul L. Maloney

CITY OF LANSING,

Defendant.

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Batey Law Firm, PLLC  
SCOTT P. BATEY (P54711)  
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Plunkett Cooney  
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**JOINT MOTION FOR LEAVE FROM THE CASE MANAGEMENT  
ORDER TO HAVE KATHY BOGAS ACT AS MEDIATOR**

NOW COME the parties, Plaintiff, Michael Lynn and Defendant, City of Lansing by and through their attorneys Scott P. Batey and the Batey Law Firm, PLLC and Rhonda Stowers and Plunkett Cooney, P.C. and for their Joint Motion to Have Kathy Bogas Act as Mediator request that their Motion be granted for the reasons set forth in the attached Brief.

Approved as to form:

/s/Scott P. Batey  
SCOTT P. BATEY (P54711)  
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/s/Rhonda Stowers  
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Dated: October 23, 2019

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**BRIEF IN SUPPORT OF JOINT MOTION FOR LEAVE FROM THE  
CASE MANAGEMENT ORDER TO HAVE KATHY BOGAS ACT AS  
MEDIATOR**

On or about April 18, 2019 this Honorable Court issued its Case Management Order which stated that the parties were to select a mediator “from the list of court certified mediators.” While the parties have a tremendous amount of respect for a number of mediators on the list of court certified mediators, they agree that Kathy Bogas of Bogus & Koncius, P.C. in Bingham Farms, Michigan

would be the best person to serve as a mediator in this matter. Both parties have used Ms. Bogus in the past with great success and have the utmost of confidence in her abilities as a mediator. In addition, the facts specific to this case require an expertise in employment law and in particular racial discrimination cases. This case also requires a mediator with the ability to meet and confer with government officials as well the Plaintiff in a matter with great personal and emotional concerns and delicately advocate for a fair resolution of this matter. The parties agree that Ms. Bogas posses such skills and would be the best mediator for this matter.

WHEREFORE, the parties respectfully respect leave from the Case Management Order pursuant to Fed.R.Civ.P 60(b)(6).

Approved as to form:

/s/Scott P. Batey  
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Dated: October 23, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that on October 23, 2019, I electronically filed this Joint Motion for Leave from the Case Management Order to Have Kathy Bogas Act as Mediator with the Clerk of the Court using the ECF system, which will send notification of such filing to all attorneys on record.

/s/Roslyn Cockrell

Roslyn Cockrell

Paralegal to Attorney Scott P. Batey